
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

AMGEN INC. and AMGEN
MANUFACTURING LIMITED LLC,

Plaintiff,

v.

FRESENIUS KABI USA, LLC, FRESENIUS
KABI SWISSBIOSIM GmbH, FRESENIUS
KABI DEUTSCHLAND GmbH, and
FRESENIUS KABI AUSTRIA GmbH,

Defendant.

MEMORANDUM DECISION AND
ORDER

Case No. 1:25-mc-00016

District Judge Jill N. Parrish

Chief Magistrate Judge Dustin B. Pead

Pursuant to DUCivR 5-3(b), Non-Party HyClone Laboratories, LLC, (HyClone) moves for leave to file under seal unredacted versions of its Motion to Quash Amgen Inc.’s and Amgen Manufacturing Limited LLC’s Rule 45 Subpoena (Motion) and supporting Declaration of Nan Lin, Ph.D.¹ HyClone argues the redacted information contains “non-public competitive, confidential, and trade secret information, that, if disclosed, would cause HyClone substantial and irreparable harm.”²

Local Rule 5-3(b) provides the procedures for filing under seal. Among these, a party seeking to file something under seal must first publicly file a redacted version of the documents. The party must also specific why the documents are “privileged, protectable as a trade secret, or otherwise entitled to protection under the law.”³

¹ ECF No. 2. This matter is referred to the undersigned from Judge Jill Parrish under 28 U.S.C. § 636(b)(1)(B).

² Mtn. p. 2.

³ DUCivR 5-2(b)(1) (2024).

HyClone publicly filed redacted versions of the documents. HyClone provides that, the redacted information, contains “confidential steps and protective measures” taken to maintain secrecy over its “cell culture media products.”⁴ In essence this is non-public information relating to the “formulation of HyClone’s cell culture media products.”⁵ The declaration of Nan Lin Ph.D. also contains redactions of “non-public competitive, confidential, and trade secret information, that, if disclosed, would [allegedly] cause HyClone substantial and irreparable harm.”⁶

Based on the information before it, the court finds HyClone has met the standards set forth in DUCivR 5-2 and therefore GRANTS the Motion for Leave to File Sealed Document.⁷

IT IS SO ORDERED.

DATED this 13 February 2025.



Dustin B. Pead
United States Magistrate Judge

⁴ Mtn. p. 2.

⁵ *Id.*

⁶ *Id.*

⁷ ECF No. 2.